

5-3031

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5079P009

(maximum 12 characters)

First Named Inventor Amit Eshet

Title: METHOD AND SYSTEM FOR SCALABLE REPRESENTATION, STORAGE, TRANSMISSION AND RECONSTRUCTION OF MEDIA STREAMS

Express Mail Label No. EL617183202US

1033 U.S. PTO  
09/27/08  
05/29/01

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2. ☒ **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. ☒ **Specification (Total Pages 80)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ **Drawings(s) (35 USC 113) (Total Sheets 16)**
5. ☒ **Oath or Declaration (Total Pages 5)**
  - a. ☐ Newly Executed (Original or Copy)
  - b. ☐ Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
    - i. ☐ DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c. ☒ Unsigned.
6. ☐ **Application Data Sheet. (37 CFR 1.76)**
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☒ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ a. Information Disclosure Statement (IDS)/PTO-1449
- ☒ b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. ☐ Other: \_\_\_\_\_

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

Of Prior Application No.: 09/461,859 Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

(which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_)

which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_ (List entire chain of prnpty)

**Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.**

**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**19. Correspondence Address**

☒ Customer Number or Bar Code Label 08791

or (Insert Customer No. or Attach Bar Code Label here)

☒ Correspondence Address Below

NAME \_\_\_\_\_

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Tarek N. Fahmi Registration No.: 41,402

Signature: [Signature] Date: 5/29/01

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**First Named Inventor Amit EshetTitle METHOD AND SYSTEM FOR SCALABLE REPRESENTATION, STORAGE, TRANSMISSION AND RECONSTRUCTION OF MEDIA STREAMSAttorney Docket No. 5079P009

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/29/01  
Date

Tarek N. Fahmi  
Signature

Tarek N. Fahmi  
Typed or Printed Name

41,4002  
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application.

**Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

**FEE TRANSMITTAL FOR FY 2001****TOTAL AMOUNT OF PAYMENT (\$)** \$4,240.00**Complete if Known:****Application No.** Not Yet Assigned**Filing Date** Herewith**First Named Inventor** Amit Eshet**Group Art Unit** Not Yet Assigned**Examiner Name** Not Yet Assigned**Attorney Docket No.** 5079P009**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

**Deposit Account Number** 02-2666  
**Deposit Account Name** \_\_\_\_\_

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
☐ Credit Card  
☐ Money Order  
☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

| <u>Large Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>             | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|------------------------------------|-----------------|
| <u>Fee Code</u>     | <u>Fee (\$)</u> | <u>Fee Code</u>     | <u>Fee (\$)</u> |                                    |                 |
| 101                 | 710             | 201                 | 355             | Utility application filing fee     | \$710           |
| 106                 | 320             | 206                 | 160             | Design application filing fee      |                 |
| 107                 | 490             | 207                 | 245             | Plant filing fee                   |                 |
| 108                 | 710             | 208                 | 355             | Reissue filing fee                 |                 |
| 114                 | 150             | 214                 | 75              | Provisional application filing fee |                 |

**SUBTOTAL (1)** \$ 710.00**2. EXTRA CLAIM FEES**

|                           |            |          | <u>Extra Claims</u> | <u>Fee from below</u> | <u>Fee Paid</u> |
|---------------------------|------------|----------|---------------------|-----------------------|-----------------|
| <b>Total Claims</b>       | <u>170</u> | - 20** = | <u>150</u>          | X \$18                | = \$2,700       |
| <b>Independent Claims</b> | <u>10</u>  | - 3** =  | <u>7</u>            | X \$80                | = \$ 560        |
| <b>Multiple Dependent</b> |            |          |                     | \$270                 | = \$ 270        |

\*\*Or number previously paid, if greater; For Reissues, see below.

| <u>Large Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>                                    |
|---------------------|-----------------|---------------------|-----------------|---|
| <u>Fee Code</u>     | <u>Fee (\$)</u> | <u>Fee Code</u>     | <u>Fee (\$)</u> |   |
| 103                 | 18              | 203                 | 9               | Claims in excess of 20                                    |
| 102                 | 80              | 202                 | 40              | Independent claims in excess of 3                         |
| 104                 | 270             | 204                 | 135             | Multiple dependent claim, if not paid                     |
| 109                 | 80              | 209                 | 40              | **Reissue independent claims over original patent         |
| 110                 | 18              | 210                 | 9               | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** \$ 3,530.00

# FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| <u>Large Entity</u> |                 | <u>Small Entity</u> |                 | <u>Fee Description</u>   | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Code</u>         | <u>Fee (\$)</u> | <u>Code</u>         | <u>Fee (\$)</u> |  |                 |
| 105                 | 130             | 205                 | 65              | Surcharge - late filing fee or oath  | _____           |
| 127                 | 50              | 227                 | 25              | Surcharge - late provisional filing fee or cover sheet                     | _____           |
| 139                 | 130             | 139                 | 130             | Non-English specification  | _____           |
| 147                 | 2,520           | 147                 | 2,520           | For filing a request for ex parte reexamination                            | _____           |
| 112                 | 920*            | 112                 | 920*            | Requesting publication of SIR prior to Examiner action                     | _____           |
| 113                 | 1,840*          | 113                 | 1,840*          | Requesting publication of SIR after Examiner action                        | _____           |
| 115                 | 110             | 215                 | 55              | Extension for reply within first month                                     | _____           |
| 116                 | 390             | 216                 | 195             | Extension for reply within second month                                    | _____           |
| 117                 | 890             | 217                 | 445             | Extension for reply within third month                                     | _____           |
| 118                 | 1,390           | 218                 | 695             | Extension for reply within fourth month                                    | _____           |
| 128                 | 1,890           | 228                 | 945             | Extension for reply within fifth month                                     | _____           |
| 119                 | 310             | 219                 | 155             | Notice of Appeal   | _____           |
| 120                 | 310             | 220                 | 155             | Filing a brief in support of an appeal                                     | _____           |
| 121                 | 270             | 221                 | 135             | Request for oral hearing   | _____           |
| 138                 | 1,510           | 138                 | 1,510           | Petition to institute a public use proceeding                              | _____           |
| 140                 | 110             | 240                 | 55              | Petition to revive - unavoidable   | _____           |
| 141                 | 1,240           | 241                 | 620             | Petition to revive - unintentional   | _____           |
| 142                 | 1,240           | 242                 | 620             | Utility issue fee (or reissue)   | _____           |
| 143                 | 440             | 243                 | 220             | Design issue fee   | _____           |
| 144                 | 600             | 244                 | 300             | Plant issue fee  | _____           |
| 122                 | 130             | 122                 | 130             | Petitions to the Commissioner  | _____           |
| 123                 | 50              | 123                 | 50              | Processing fee under 37 CFR 1.17(q)  | _____           |
| 126                 | 180             | 126                 | 180             | Submission of Information Disclosure Stmt                                  | _____           |
| 581                 | 40              | 581                 | 40              | Recording each patent assignment per property (times number of properties) | _____           |
| 146                 | 710             | 246                 | 355             | For filing a submission after final rejection (see 37 CFR 1.129(a))        | _____           |
| 149                 | 710             | 249                 | 355             | For each additional invention to be examined (see 37 CFR 1.129(b))         | _____           |
| 179                 | 710             | 279                 | 355             | Request for Continued Examination (RCE)                                    | _____           |
| 169                 | 900             | 169                 | 900             | Request for expedited examination of a design application                  | _____           |
| 195                 | 300             | 195                 | 300             | Publication fee for early, voluntary, or normal publication                | _____           |
| 196                 | 300             | 196                 | 300             | Publication fee for republication  | _____           |
| 194                 | 130             | 194                 | 130             | Request for voluntary publication or republication                         | _____           |
| 098                 | 130             | 098                 | 130             | Processing fee under 37 CFR 1.17(i)  | _____           |
| 091                 | 1,240           | 091                 | 1,240           | Acceptance of unintentionally delayed claim for priority                   | _____           |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 0.00**

\*Reduced by Basic Filing Fee Paid

### SUBMITTED BY:

Typed or Printed Name: Tarek N. Fahmi

Signature: [Signature] Date: 5/29/01

Reg. Number: 41,402 Telephone Number: 408-947-8200

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

"Express Mail" mailing label number: EL617183202 US

Date of Deposit: 5/29/01

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Patricia Richard

(Typed or printed name of person mailing paper or fee)

[Signature]

(Signature of person mailing paper or fee)

5/29/01

(Date signed)

Serial/Patent No.: \*\*\*

Filing/Issue Date: Herewith

Client: BigBand Networks, Inc.

Title: Method And System Scalable Representation, Storage, Transmission And Reconstruction Of Media Streams

BSTZ File No.: 5070P009

Atty/Secty Initials: TNF/pab/pmr

Date Mailed: 5/29/01

Docket Due Date:

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

☐ Amendment/Response (\_\_\_\_ pgs.)

☐ Appeal Brief (\_\_\_\_ pgs.) (in triplicate)

☒ Application - Utility (80 pgs., with cover and abstract)

☐ Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)

☐ Application - Rule 1.53(b) Divisional (\_\_\_\_ pgs.)

☐ Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)

☐ Application - Rule 1.53(d) CPA Transmittal (\_\_\_\_ pgs.)

☐ Application - Design (\_\_\_\_ pgs.)

☐ Application - PCT (\_\_\_\_ pgs.)

☐ Application - Provisional (\_\_\_\_ pgs.)

☐ Assignment and Cover Sheet

☐ Certificate of Mailing

☒ Declaration & POA (5 pgs.)

☐ Disclosure Docs & Orig. & Copy of Inventor's Signed Letter (\_\_\_\_ pgs.)

☒ Drawings: 16 sheets includes 18 figures

☒ Express Mail No. EL617183202US

☐ \_\_\_\_\_ Month(s) Extension of Time

☒ Information Disclosure Statement & PTO 1449 (3 pgs.)

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for Extension of Time

☐ Petition for \_\_\_\_\_

☒ Postcard

☐ Power of Attorney (\_\_\_\_ pgs.)

☐ Preliminary Amendment (\_\_\_\_ pgs.)

☐ Reply Brief (\_\_\_\_ pgs.)

☐ Response to Notice of Missing Parts

☐ Small Entity Declaration for Indep. Inventor/Small Business

☒ Transmittal Letter, in duplicate (3 pgs.)

☒ Fee Transmittal, in duplicate (2 pgs.)

☒ Check No. 43020

Amt: \$4240.00

☐ Check No. \_\_\_\_\_

Amt: \_\_\_\_\_

☒ Other: a copy of postcard w/ express mail stamp